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2-9 SEP 2000

**TO:** Mr. Anthony Smith  
USPTO/PCT

Legal Staff  
International Division

**FROM:** Rick Bauer

**RE:** SN 09/180,629

**FAX NO.:** (703) 308-6459

**DATE:** September 29, 2000

**NO. OF PAGES:** 4  
(including cover page)

**TIME:**

**SENT BY:**

**MESSAGE**

Mr. Smith,

As discussed. Thanks for your help.

Rick Bauer

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1814.31

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
AARON FENSTER, ET AL.	)	Examiner: Unknown
Appln. No.: 09/180,629	)	Group Art Unit: Unknown
Filed: November 13, 1998	)	
For: THREE-DIMENSIONAL	)	September 29, 2000
IMAGING SYSTEM	)	

**BOX PCT**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attention: Anthony Smith

REQUEST FOR RECONSIDERATION

Sir:

Applicants Aaron Fenster and Kenneth Dunne respectfully request reconsideration of the Rule 47 Petition (Dismissed) filed November 12, 1999 on the ground that the same petition on the same facts was granted in co-pending Application No. 09/297,361.

FACTS

1. On November 12, 1999, the undersigned filed a RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371, a PETITION UNDER 37 CFR 1.47(a), and a DECLARATION OF RICHARD P. BAUER IN SUPPORT OF PETITION UNDER 37 CFR § 1.47(a).

2. On December 9, 1999, the Petition was dismissed on the ground that it lacked factual proof that the missing joint inventor could not be reached after diligent effort.

3. Shortly after the dismissal, the undersigned telephoned the PCT Legal Branch and called attention to the fact that the same petition on the same facts was granted in co-pending Application No. 09/297,361. Specifically, the same Petition with the same facts was filed September 10, 1999 in co-pending Application No. 09/297,361. That Petition was granted on October 26, 1999. The PCT Legal detailee advised the undersigned that the file would be reviewed and a new communication issued. That has not yet happened.

#### RELIEF REQUESTED

Since the USPTO PCT Branch has already granted the same Petition showing that joint inventor Mr. Shane Dunne could not be found or reached after diligent effort, Applicants Aaron Fenster and Kenneth Dunne respectfully request that the August 25, 1999 Petition Under 37 C.F.R. § 1.47(a) be reconsidered and granted.

#### FEE

The Commissioner is hereby authorized to charge Deposit Account No. 06-1205 for any extension of time under 37 CFR 1.136 for filing this Request. However, since the USPTO advised the undersigned that a new communication would be forthcoming, and since no new communication has been issued, it is respectfully submitted that no fee is due.

Applicants' undersigned attorney may be reached in our Washington office by telephone at (202) 530-1010. All

correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
Attorney for Applicants

Registration No. 21,588

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